LIBRARY
SUPREME COURT

Office-Supreme Court, U.S.
FILED
JUL 23 1966
JOHN F. DAVIS, CLERK

IN THE

Supreme Court of the United States

October Term, 1965.

No. 301

MILTON MAZER, Administrator of the Estate of ISRAEL ABRAMS, dec'd,

Respondent,

v.

HATTIE LIPSHUTZ, Executrix of the Estate of BENJAMIN LIPSHUTZ, dec'd,

Petitioner,

v.

ALBERT KOHN,

Petitioner.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Third Circuit.

BRIEF FOR RESPONDENT IN OPPOSITION.

ROBERT M. BERNSTEIN,
BERNSTEIN, BERNSTEIN,
HARRISON AND KESSLER,
1000 Penna. Lumbermen's Bldg.,
Philadelphia, Pa. 19107

HARVEY B. LEVIN,
1835 Land Title Bldg.,
Philadelphia, Pa. 19110

Counsel for Respondent.

International, 711 So. 50th St., Phila., Pa. 19143—Tel. SA 7-8711 Area Code 215

IN THE

Supreme Court of the United States.

OCTOBER TERM, 1965.

No.

MILTON MAZER, ADMINISTRATOR OF THE ESTATE OF ISRAEL ABRAMS, DECEASED,

Respondent,

v.

HATTIE LIPSHUTZ, EXECUTRIX OF THE ESTATE OF BENJAMIN LIPSHUTZ, DECEASED,

Petitioner,

v.

ALBERT KOHN,

Petitioner.

BRIEF FOR RESPONDENT IN OPPOSITION.

Argument.

The facts in this case will not be repeated inasmuch as they appear explicitly in the Petition before this Court, Opinions by McLaughlin, J. (2a), 360 Fed. 2nd 275 and Biggs, J. (13a), 327 Fed. 2nd 42. Two panels of Federal Appellate Court Jurists—with only McLaughlin, J. sitting on both—have found, without dissent, no merit in Petitioner's legal position.

No Federal or Constitutional question is involved here. The legal issues are purely local in character and are of no public importance. They relate to the effect under the Pennsylvania Uniform Contribution Among Joint Tort Feasor's Act and under the Common Law of Pennsylvania of the terms of a release given to an alleged tort feasor, its agents and employees. Federal cases in other jurisdictions, cited by the Petitioner, can have no bearing upon the local law of Pennsylvania. In the nature of the case, there can be no conflicts among circuits.

It is submitted the Petition should be dismissed.

HARVEY B. LEVIN,

ROBERT M. BERNSTEIN,
BERNSTEIN, BERNSTEIN, HARRISON & KESSLER,
Attorneys for Respondent.